



Your ref: D072040GB
Application No: GB 0306129.8
Applicant: Dwayne Lacey

Examiner: Pablo Cappellini
Tel: 01633 814093
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Latest date for reply: 28 November 2003

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Patents Act 1977 Examination Report under Section 18(3)

Basis of the examination

1. I have examined your application in the form that it was printed by WIPO when it was in the international phase.

Inventive step

2. The invention as defined in claims 1, 4-8, 12-14, 16, 17 & 22 is obvious in view of what has already been disclosed in the following document:

WO 01/08628 A1 (TAVERNA ET AL) - All figures. Note fingers 14, vibrator 16, finger terminals 15, handling body 11

3. TAVERNA ET AL shows a device having fingers 14 terminating in a ball like structure 15 at their free ends. The fingers are coupled together to the body 11 and define a receiving space having a circumference that exceeds the circumference that can be inscribed at the opening defined by the free ends 15 of the fingers 14. The body 11 can be considered as a handle for receiving the opposite ends of the fingers and it also houses the vibrating means 16. Although not necessarily scaled to massage an adult human scalp, the device can be used to massage a "head".

4. The only difference between this device and the device of claims 1, 6 & 14 is likely to be the size of fingers that perform the massaging action.

5. It would be obvious to the person skilled in the art to perform routine modifications to this device in order to make it suitable for massage on different parts of the body. Modifying the length of the fingers would not be inventive.

Clarity

6. It is not clear whether the device of claim 14 includes a plurality of resilient fingers (page 10, line 1), or a plurality of resilient and pliable fingers (page 10, line 3).

7. It would appear that "head" would have been the word intended in claim 14, page 10, lines 13-14 where it refers to "...a head receiving space for receiving a space, ..."

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[Examination Report contd.]

8. In claim 14, description is made of fingers having a portion immediately adjacent the handle (page 10, lines 9-10) and a contiguous portion extending downwardly (page 10, line 11). However, these later appear related to as said intermediate length and continuous length (page 10, lines 12-13).

9. Please amend the claim so that it is clearly defined and uses consistent terminology.

Conflict with a corresponding PCT patent application

10. This application appears to be similar to your international patent application published under No WO 01/08628, having the same priority date and designating GB (European patent). If patents granted on these two applications relate to the same invention, the Comptroller will in due course revoke the patent granted on the present application unless either you amend the present specification to remove the conflict or, before the date of grant of the present application under Section 25(1), you begin proceedings to surrender the European patent (UK). Of course if the GB designation is withdrawn before grant of the European patent, no action will be required under Section 73(2).

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PCT

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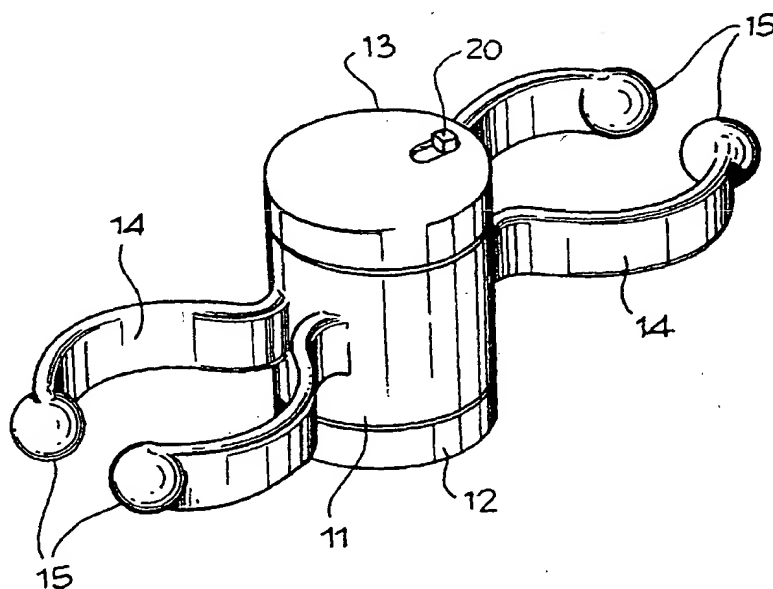
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For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: MASSAGE VIBRATOR FOR THE RELIEF OF ACHES AND PAIN



(57) Abstract: This invention concerns a massage vibrator for the relief of various aches and pains in the head, face and body by means of stimulating energy channels and parts of the body surface. It has a central body (11), enclosing a vibration generator (16), at least one pair of springy arms (14) on one part of the central body and an active terminal head (15) at the end of each of these said arms. The terminal heads of each pair of arms are applied to the area to be stimulated and the vibrations produced by the vibrator are transmitted, through the springy arms, to the terminal heads (15) in order to exercise a massaging vibratory action at the point desired.

WO 01/08628 A1

MESSAGE VIBRATOR FOR THE RELIEF OF ACHES AND PAIN

Field of the invention

This invention proposes an electro-medical device as a massage vibrator, capable of acting positively on aches and pains to the head, face and body of a person.

State of the art

5 Over thousands of years of application, traditional oriental medicine, Chinese in particular, has discovered how the stimulation of certain parts of the body surface can have a positive effect on disturbances, symptoms and illness of the internal organs and the various body zones. Among the
10 numerous points discovered, some of the most important are, without doubt, the point of the energy channel of the large intestine and the large crossover of these channels. These points, situated between the thumb and the index

finger of the hands, and at the base of the big toe, respectively, have not only a general influence on the vital energy, but are also effective, in particular, for all forms of aches and pains to the face and head, such as migraines, headaches, toothaches and other body pains in general.

In the course of time, the treatment of acupuncture zones has become enriched by increasingly refined and sophisticated stimulation methods. From the primitive needles in stone and bone, things have moved on via needles of gold and silver, to those in steel used today. From stimulation by heat, we have arrived at stimulation by electricity, using magnetic impulses, and laser, as well as numerous other methods that are still in an experimental phase.

Manual micro-massage, which involves vibration of the energy points, has always been one of the most effective methods, and this consideration was behind the design of the massage vibrator of the present invention, where the mechanical action of deep and accurate compression of the points in question has been combined with vibration.

This combined action makes it possible to carry out mechanically a real and proper micro-massage, vibrating the specific points, without either pause or interruption due to the manual action of the operator, with highly effective results on the various aches and pains of the head, face and

other parts of the body surface.

Description of the invention

5 The massage vibrator which is proposed here consists of a central body that encloses a battery-powered vibration generator, a pair of springy arms on at least one, although better if both facing sides of the central body, and a head at the free end of each arm. Then, the vibrations produced by the vibrator inside the central body are transmitted, by means of the springy arms, to the active terminal heads, 10 which, applied to the points for stimulation, exercise an effective vibrating massage for aches and pains.

15 The massage vibrator, therefore, represents a simple and easy-to-use device, since it may be handled, used and controlled independently by the patients themselves, without the need for an operator. It is a valid and modern response to those aches and pains, such as aches in the forehead, temples and crown of the head, migraines, toothache, shooting pains, cramps and soreness of the neck; against hair loss, anxiety, insomnia, worry, anger, etc., in 20 order to relax generally.

Brief description of the drawings

The invention will be described in greater detail below and with reference to the enclosed drawings, which are indicative but not binding, and where:

25 Fig. 1 shows a perspective of the device;

Fig. 2 shows a side view in cross-section of the device in Fig. 1;

Fig. 3 shows a horizontal cross-section of the device;

Fig. 4 shows a side view of the device in use; and

5 Figs 5 and 6 show other different ways of using the device.

Detailed description of the invention

The device in question consists of a central body-container (11), made in plastic, with a fixed flange (12) at
10 the bottom and a detachable lid (13) at the top. From both sides of the central body, or at least from one side, there are added two curved, springy arms (14), each equipped with an active terminal head (15). The curved arms of each pair are joined to the body, have their respective inner curves facing
15 one another and curve towards each other at their free ends. The terminal head (15) of each arm (14) is preferably spherical, although this does not exclude other hemispherical, ellipsoidal, cylindrical shapes, etc., which may be deemed necessary.

20 Inside the body-container (11), there is housed and protected a vibration generator (16). This may be electromagnetic or, as shown here, a cam (19) with a motor driven electrically by two batteries (17), for example 1.5 V alkaline batteries. There is a support spring for each battery
25 and, inside the lid, there are contacts (18) for opening and

closing the electrical circuit of the vibrator generator, as a result of a twisting or axial movement of the lid, or by means of a switch (20).

5 As shown in Figs 4 and 5, the device can be taken and used directly by the patient, applying the terminal heads (15) of the springy arms (14) to the points on the hand to be stimulated, and moving the lid in order to start up the vibrator generator (16), as needed. In this way, the vibrations are transmitted to the points for stimulation with
10 a vibratory massage action that produces the above-mentioned beneficial effects.

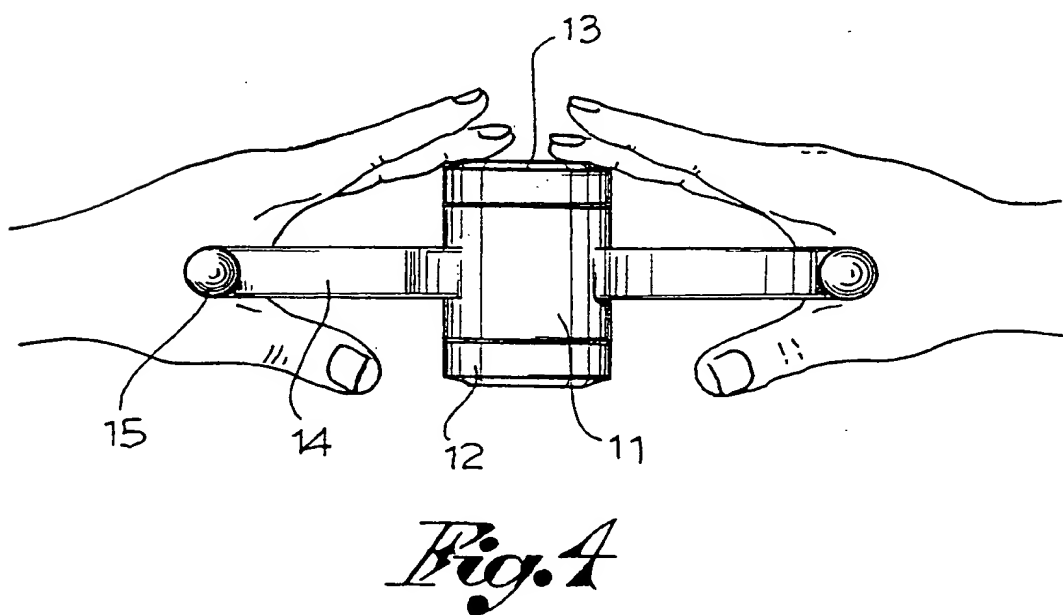
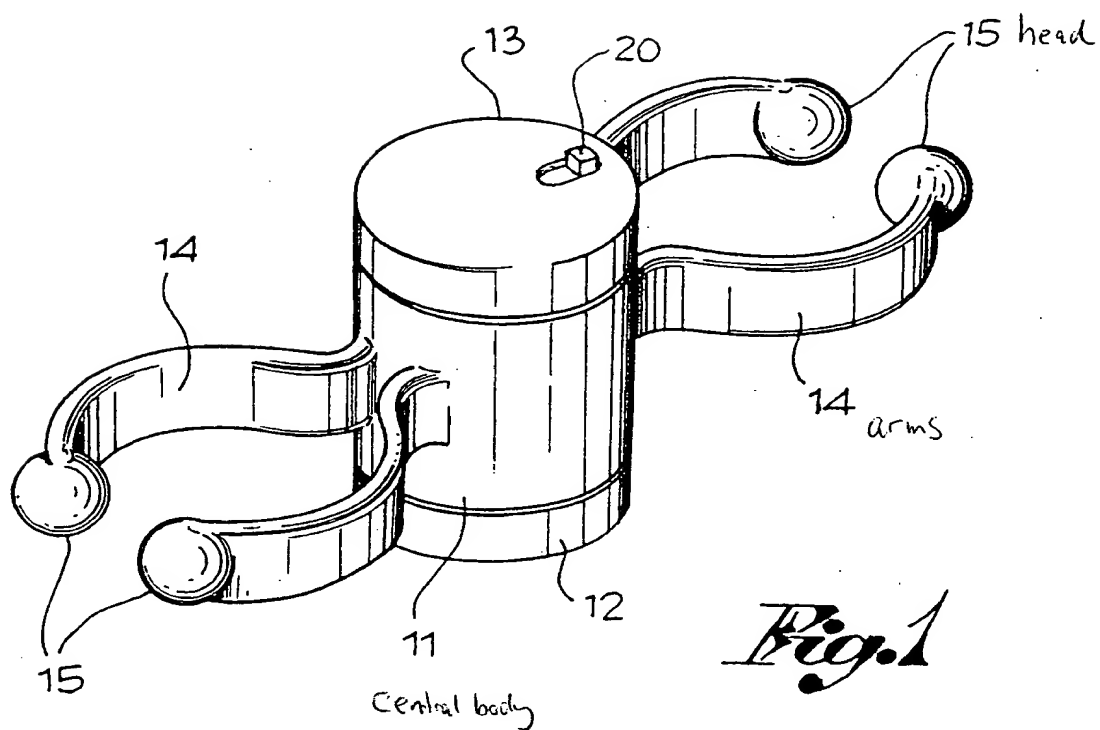
CLAIMS

1. Massage vibrator for the effective relief of aches and pains in the head, face and body, by means of the direct stimulation of the energy channels and other points on the body surface, characterised by a central body (11), enclosing a vibration generator (16),
5 powered by batteries, by at least one pair of springy arms (14) on at least one side of the central body and by an active terminal head (15) at the end of each of said arms, the terminal heads of each pair of arms
10 being applied to the point to be stimulated, the vibrations produced by the vibrator in said body being transmitted, via the springy arms, to said terminal heads (15) in order to exercise a vibratory massage on the chosen point.
- 15 2. Massage vibrator according to claim 1, in which said springy arms (14) are joined to the central body and have a curved shape, with the inner curves opposite each other and with the free ends, to which the active terminal heads (15) are applied, curving towards each
20 other.
3. Massage vibrator according to claims 1 and 2, in which each active terminal head is either spherical, ellipsoidal, cylindrical or other in shape.
4. Massage vibrator according to the previous claims, in

which the central body is furnished with an electric switch (19) for turning the vibration generator on and off as needed, said switch being either on the top or consisting of a rotating lid on said body.

- 5 5. Massage vibrator according to the previous claims, in which the vibration generator is an electromagnetic unit or an electrically-driven cam.
- 10 6. Method for stimulating points on the body surface for the effective relief of aches and pains in the head and face, such as aches in the forehead, temples and the crown of the head, migraines, toothaches, shooting pains, cramps and pains in the neck; against states of anxiety, nervousness, worry, insomnia and hair loss,
- 15 characterised by the fact of stimulating the point in question with a vibratory massage action, generated by means placed in contact with said point and activated by a vibrating apparatus, located inside a container that can be handled and operated directly by the user.

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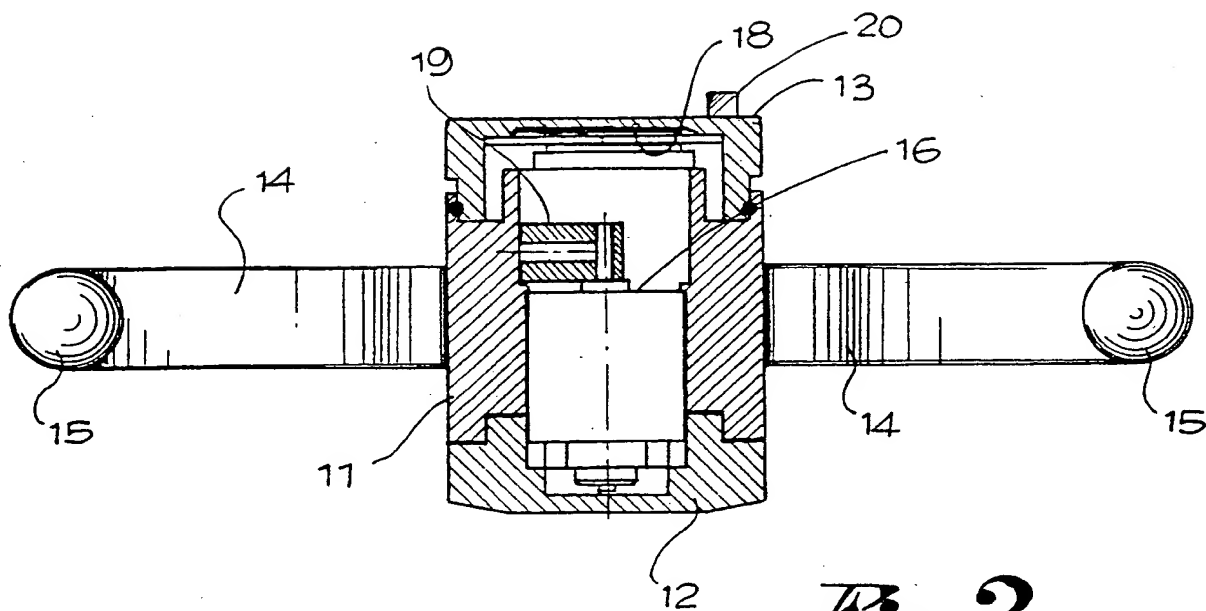


Fig. 2

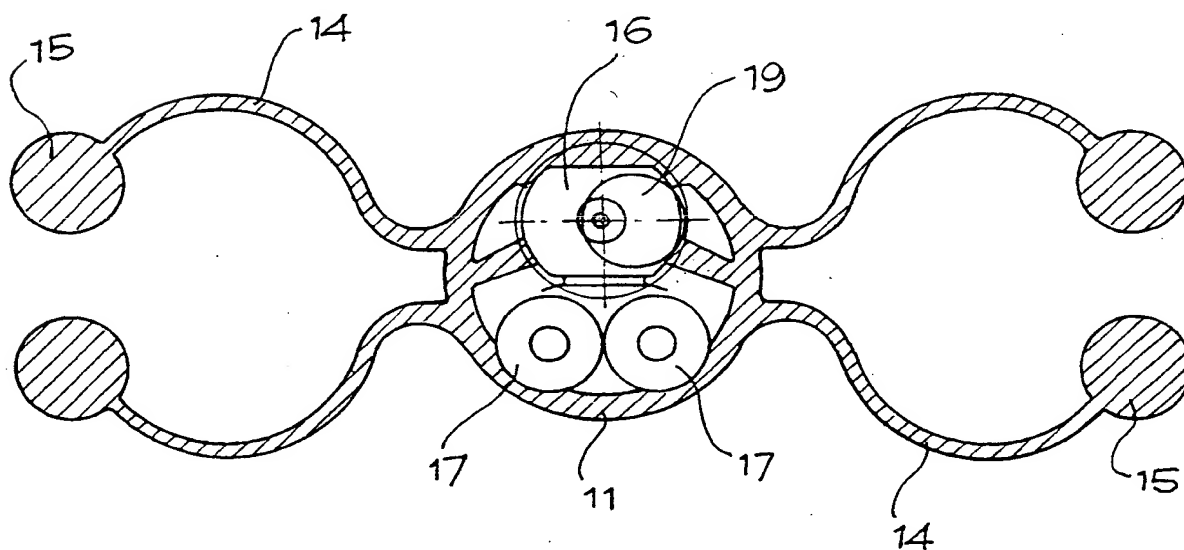


Fig. 3

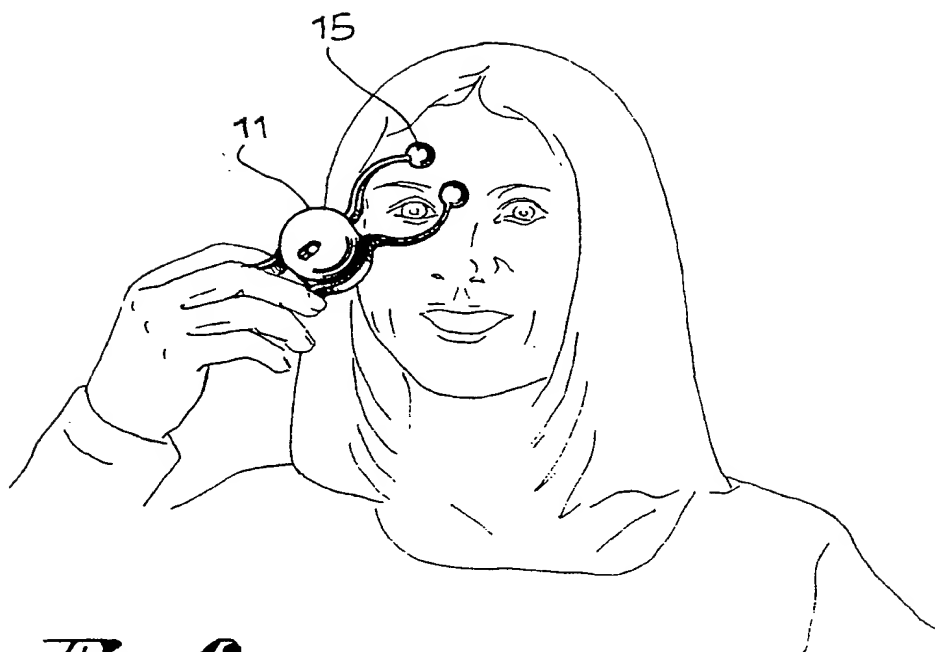


Fig. 6

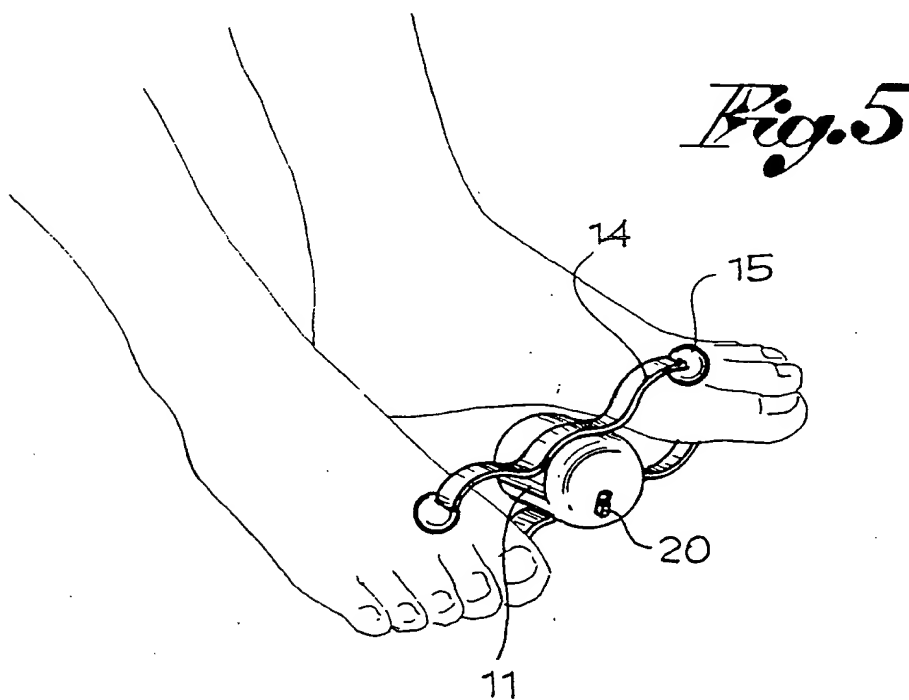


Fig. 5

INTERNATIONAL SEARCH REPORT

Internatio Application No

PCT/IT 00/00242

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A61H23/02 A61H39/04

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61H

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category * | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|------------|---|-----------------------|
| A | US 3 623 481 A (CURRAN WILLIAM S) 30 November 1971 (1971-11-30) column 3, line 46 - line 53; figures 1,2 --- | 1 |
| A | DE 121 171 C (PRETZSCHNER GUSTAV HERMANN) 17 July 1900 (1900-07-17) the whole document --- | 1 |
| A | GB 890 097 A (ARO, S.A.) 28 February 1962 (1962-02-28) claims 1,8; figures --- | 1 |
| A | US 5 094 227 A (EGLAUF DOUGLAS R ET AL) 10 March 1992 (1992-03-10) column 2, line 46 - line 53; figure 3 --- -/-- | 1 |

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
- "&" document member of the same patent family

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INTERNATIONAL SEARCH REPORT

Internatic Application No

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

| Category * | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|------------|--|-----------------------|
| A | US 2 198 872 A (HEGSTROM CONRAD E) 30 April 1940 (1940-04-30) claim 1; figures --- | 1 |
| A | NL 9 300 507 A (EUROP PRUDENTIAL INVESTMENTS N) 17 October 1994 (1994-10-17) abstract; figures ----- | 1 |

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/IT 00/00242

| Patent document cited in search report | Publication date | Patent family member(s) | Publication date |
|---|---------------------|-------------------------------|--------------------------|
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| DE 121171 C | | DE 122995 C | |
| GB 890097 A | | CH 371215 A FR 1251614 A | 15-08-1963 21-04-1961 |
| US 5094227 A | 10-03-1992 | NONE | |
| US 2198872 A | 30-04-1940 | NONE | |
| NL 9300507 A | 17-10-1994 | IT MI940119 U | 23-09-1994 |